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OFFICE OF PETITIONS

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR NY 10510

In re Application of	:	
Germond-Rouet et al.	:	
Application No. 10/538,621	:	
Filed: June 10, 2005	:	DECISION ON PETITION
Attorney Docket No. FR 020142	:	PURSUANT TO
Title: ULTRASONIC APPARATUS	:	37 C.F.R. § 1.137(B)
FOR ESTIMATING ARTERY	:	
PARAMETERS	:	

This is a decision on the petition filed March 31, 2009, pursuant to 37 C.F.R. § 1.137(b), to revive the above-identified application.

The petition pursuant to 37 C.F.R. § 1.137(b) is **DISMISSED** as unnecessary.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed January 25, 2008, which set a shortened statutory period for reply of three months. An after-final amendment was received on March 19, 2008, and an advisory action was mailed on October 28, 2008. A one-month extension of time under the provisions of 37 C.F.R. § 1.136(a) was received on November 25, 2008, along with both a notice of appeal and the associated fee.

This petition and both an Appeal Brief and the associated fee were submitted on March 31, 2009, prior to the expiration of the maximum extendable period for submitting an Appeal Brief. It is noted that the transmittal sheet that was included on filing contains an authorization to charge any fee deficiencies to Deposit Account number 14-1270. As such, a three-month extension of time will be charged to this Deposit Account in due course so as to make timely the Appeal Brief. The petition fee will be refunded in due course.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the Appeal Brief that was received on March 31, 2009 can be processed.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the status of the application has been updated to show that it is not abandoned. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Technology Center where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.¹ All other inquiries concerning the status of the application should be directed to the Technology Center.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.